



Patent

Attorney's Docket No. 1016800-000634

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	<b>Mail Stop AMENDMENT</b>
Daniel Asselineau et al.	)	Group Art Unit: 1641
Application No.: 10/619,188	)	Examiner: CHANGHWA J. CHEU
Filed: July 15, 2003	)	Confirmation No.: 4954
For: ANTIBODIES SPECIFIC FOR	)	
PAPILLARY FIBROBLASTS AS	)	
MARKERS FOR SKIN QUALITY	)	

**SUPPLEMENTAL REPLY  
FILED WITH A REQUEST FOR CONTINUED EXAMINATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In further response to the Office Action dated March 29, 2005, and in response to the Advisory Action dated August 23, 2005, Applicants offer the following remarks.

This paper is filed together with a Request For Continued Examination pursuant to 37 C.F.R. § 1.114 and the fee set forth in 37 C.F.R. § 1.17(e). The Advisory Action mailed August 23, 2005 indicates that the amendments filed July 29, 2005 would be entered for purposes of Appeal. Entry and consideration of the Amendment and Reply filed July 29, 2005 for purposes of continued examination is respectfully requested.

The Advisory Action indicates only one reason that the Amendment and Reply filed July 29, 2005 did not place the application in condition for allowance, namely that the deposit rule is not complied with. The Office has required that the cell line that produces the PG4 antibody be deposited in order to satisfy the enablement requirement of 35 U.S.C. § 112, first paragraph, for the claimed invention.

Applicants hereby certify that a deposit of the cell line that produces the PG4 antibody will be made under the terms of the Budapest Treaty in the American Type Culture Collection. Applicants further certify that all restrictions on the availability to the public of the deposited material will be irrevocably removed upon the granting of a patent on this application as set forth in 37 C.F.R. § 1.808. Upon receipt of a deposit accession number, the specification will be amended to refer to the name and address of the depository and the accession number and date of the deposit as required by 37 C.F.R. § 1.809. A declaration of a person in a position to corroborate the fact that the material that is deposited is the same as the material described in the patent application will also be promptly filed upon completion of the deposit as required by M.P.E.P. § 2406.02.

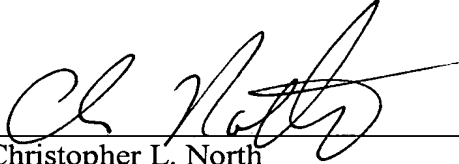
Pursuant to M.P.E.P. §§ 2411.01-2411.03 and 37 C.F.R. § 1.809 the application is now believed to be in condition for allowance except for the completion of the deposit. It is expected that the Office will issue a Notice of Allowability setting a period in which to complete the deposit. Such action is respectfully requested.

In the event that there are any questions or concerns with regard to the application or this paper, the Office is respectfully requested to contact the undersigned so that prosecution may be expedited.

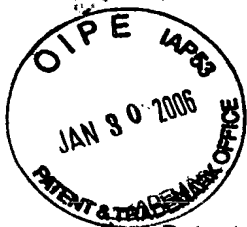
Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: January 30, 2006

By:   
Christopher L. North  
Registration No. 50,433

P.O. Box 1404  
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(703) 836-6620



Patent  
Attorney Docket No. 1016800-000634

RCE  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Daniel Asselineau et al.

Application No.: 10/619,188

Filing Date: July 15, 2003

Title: ANTIBODIES SPECIFIC FOR PAPILLARY FIBROBLASTS AS MARKERS FOR SKIN QUALITY

MAIL STOP RCE

Group Art Unit: 1641

Examiner: CHANGHWA J. CHEU

Confirmation No.: 4954

REQUEST FOR CONTINUED EXAMINATION  
TRANSMITTAL LETTER

MAIL STOP RCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Customer Number 21839

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the

☐ \$395.00 (2801) ☒ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1. ☐ A. Applicant(s) requests that any previously unentered after final amendments not be entered.  
Continued examination is requested based on the enclosed documents identified in item 2 below.

☒ B. Applicant(s) previously submitted the following documents for which continued examination is requested:

☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 29, 2005.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

☐ Other: \_\_\_\_\_

2. The following documents are enclosed with this submission:

☐ Amendment/Reply.

01/31/2006 SZEWDIE1 00000120 10619188

☐ Affidavit(s)/Declaration(s).

01 FC:1801

790.00 DP

☐ Information Disclosure Statement (IDS).

☐ A Petition for Extension of Time.

☒ Other: Supplemental Reply Filed With A Request for Continued Examination.

**Buchanan Ingersoll PC**  
ATTORNEYS

Including attorneys from Burns Doane Swecker & Mathis

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(8/05)

3. ☐ Small entity status is hereby claimed.  
☒ No additional claim fee is required.  
☒ The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Examination Fee (1801)					\$ 790.00
Total Claims	6	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$200.00 (1201) =	\$ 0.00
If multiple dependent claims are presented, add \$360.00 (1203)					
Total Fee					\$ 790.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee					\$ 0.00
<b>TOTAL FEE DUE</b>					<b>\$ 790.00</b>

4. ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.  
5. ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.  
6. ☒ Charge \$ 790.00 to credit card. Form PTO-2038 is attached.  
7. ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

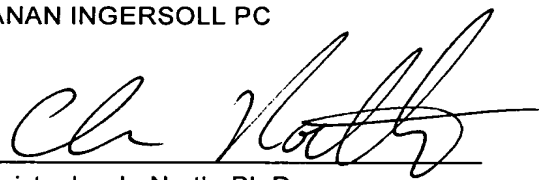
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
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By



Christopher L. North, Ph.D.  
Registration No. 50,433

Filed: January 30, 2006